UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTICE OF ALLOWANCE AND FEE(S) DUE

23717 7590 05/27/2008 LAW OFFICES OF BRIAN S STEINBERGER 101 BREVARD AVENUE COCOA, FL 32922 EXAMINER

WILKINS III, HARRY D

ART UNIT PAPER NUMBER

1795 DATE MAILED: 05/27/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/699,488	10/18/2004	Dan Zhou	UCF-294DIV	3162	

TITLE OF INVENTION: ELECTROCHEMICAL DEPOSITION OF CARBON NANOPARTICLES FROM ORGANIC SOLUTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$0	\$0	\$720	08/27/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED</u>. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:	If the SMALL ENTITY is shown as NO:
A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.	A. Pay TOTAL FEE(S) DUE shown above, or
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or	B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u> Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

	Alexanuria, virgi
or Fax	(571)-273-2885

appropriate. All further	correspondence includir ed below or directed oth	ng the Patent, ad	vance of	JE FEE and PUBLIC.	ATIC	aintenance fees w	ill be	mailed to the current	nould be completed where correspondence address as rate "FEE ADDRESS" for
CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)				Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must					
23717	7590 05/27	//2008		I	have its own certificate of mailing or transmission.				
LAW OFFICES OF BRIAN S STEINBERGER 101 BREVARD AVENUE COCOA, FL 32922			ER		Certificate of Mailing or Transmission I hereby certify that this Fee(s) Transmittal is being deposited with the Unite States Postal Service with sufficient postage for first class mail in an envelop addressed to the Mail Stop ISSUE FEE address above, or being facsimi transmitted to the USPTO (571) 273-2885, on the date indicated below.				mission g deposited with the United t class mail in an envelope above, or being facsimile ate indicated below.
									(Depositor's name)
									(Signature)
				l					(Date)
APPLICATION NO.	FILING DATE			FIRST NAMED INVENT	NTOR ATTORNEY DOCKET NO. CONFIRMATION				CONFIRMATION NO.
10/699,488	10/18/2004	I		Dan Zhou				UCF-294DIV	3162
TITLE OF INVENTION	N: ELECTROCHEMICA			RBON NANOPARTIC				UTIONS	
APPLN. TYPE	SMALL ENTITY	ISSUE FEE I	DUE	PUBLICATION FEE D	UE	PREV. PAID ISSUE	E FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720		\$O		\$0		\$720	08/27/2008
EXAN	IINER	ART UNI	Г	CLASS-SUBCLASS					
WILKINS II	I, HARRY D	1795		204-242000	—				
 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. T'Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) 									
Please check the appropr	riate assignee category or	categories (will	not be pi	rinted on the patent) :		Individual 🖵 Co	orporati	on or other private gro	oup entity 🖵 Government
4a. The following fee(s) are submitted: 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) Issue Fee A check is enclosed. Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. Advance Order - # of Copies The Director is hereby authorized to charge the required fee(s), any deficiency, or credit and overpayment, to Deposit Account Number (enclose an extra copy of this for the present of the pr					ficiency, or credit any				
	ns SMALL ENTITY state	us. See 37 CFR 1		b . Applicant is no					
NOTE: The Issue Fee an interest as shown by the	d Publication Fee (if req records of the United Sta	uired) will not be ites Patent and Tr	accepte ademark	d from anyone other the Office.	an th	e applicant; a regi	stered a	attorney or agent; or th	e assignee or other party in
Authorized Signature						Date			
Typed or printed name				Registration No.					
This collection of inform an application. Confiden submitting the complete this form and/or suggest Box 1450, Alexandria, V Alexandria, Virginia 223	/irgima 22313-1450. DC	CFR 1.311. The ir U.S.C. 122 and USPTO. Time rden, should be s O NOT SEND FE	oformation 37 CFR will vary ent to the ES OR (on is required to obtain 1.14. This collection is depending upon the in e Chief Information Of COMPLETED FORMS	or re s esti ndivi fficer 5 TO	tain a benefit by the mated to take 12 r dual case. Any co , U.S. Patent and THIS ADDRESS	he publ ninutes mment Traden 5. SENI	ic which is to file (and to complete, includin s on the amount of tir hark Office, U.S. Depa D TO: Commissioner f	I by the USPTO to process) g gathering, preparing, and ne you require to complete artment of Commerce, P.O. for Patents, P.O. Box 1450,

UNITED STATES PATENT AND TRADEMARK OFFICE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov							
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LAW OFFICES OF BRIAN S STEINBERGER 101 BREVARD AVENUE COCOA, FL 32922			WILKINS III, HARRY D				
			ART UNIT PAPER NUME				
			1795 DATE MAILED: 05/27/2008				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 627 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 627 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

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	Application No.	Applicant(s)					
Notice of Allowability	10/699,488	ZHOU ET AL.					
Notice of Anowability	Examiner	Art Unit					
	Harry D. Wilkins, III	1795					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.							
1. 🔀 This communication is responsive to <u>amendment filed 7 April 2008</u> .							
2. \square The allowed claim(s) is/are <u>8,18 and 19</u> .							
 3. ☐ Acknowledgment is made of a claim for foreign priority ur a) ☐ All b) ☐ Some* c) ☐ None of the: Certified copies of the priority documents have Certified copies of the priority documents have Copies of the certified copies of the priority documents have Copies of the certified copies of the priority documents have Copies of the certified copies of the priority documents have Copies of the certified copies of the priority documents have Copies of the certified copies of the priority documents have Copies of the certified copies of the priority documents have Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give CORRECTED DRAWINGS (as "replacement sheets") must (a) ☐ including changes required by the Notice of Draftspers 	e been received. been received in Application No cuments have been received in this of this communication to file a reply IENT of this application. itted. Note the attached EXAMINER es reason(s) why the oath or declara	national stage applicati complying with the requ 'S AMENDMENT or NO ation is deficient.	uirements				
 (a) I including changes required by the Notec of Dialisperson's Fatent Drawing Review (1110 540) attached (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of 							
Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).							
 DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. 							
 Attachment(s) 1.	5. 🗌 Notice of Informal F 6. 🗌 Interview Summary Paper No./Mail Da 7. 🗋 Examiner's Amendr 8. 🖾 Examiner's Stateme 9. 🗋 Other	(PTO-413), te ment/Comment	vance				

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: the prior art does not teach an electrochemical deposition apparatus having a silicon wafer anode and a silicon wafer cathode, wherein each were coated with catalytic nanoparticles of iron and nickel, in combination with a power supply imposing a direct current with a potential of approximately 1000 V. The teachings of Weinberg et al are not combinable with the apparatus of Iwasaki et al because the two methods are completely different and one of ordinary skill in the art would have had no expectation of successfully using the power supply of Weinberg et al with the apparatus of Iwasaki et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inventorship

2. In view of the papers filed 3 March 2008, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by the addition of Elvira Vladimirovna Anoshkina as a third inventor.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of Office records to reflect the inventorship as corrected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry D. Wilkins, III whose telephone number is 571-272-1251. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Susy Tsang-Foster can be reached on 571-272-1293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

> /Harry D Wilkins, III/ Primary Examiner, Art Unit 1795

hdw